

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FREQUENCY, LLC, f/k/a GOODRADIO.TV, LLC,  
Plaintiff,  
-against-  
CLEAR CHANNEL BROADCASTING, INC.,  
Defendant.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED

DOC #:

DATE FILED: 6/27/08

07-Civ-07785 (PKC)  
ECF Case

**STIPULATION AND ORDER EXTENDING SCHEDULING ORDER  
DEADLINES AND ADJOURNING CASE MANAGEMENT CONFERENCE**

WHEREAS, the parties have been proceeding with discovery pursuant to the Civil Case Management Plan and Scheduling Order, dated November 16, 2007 (the "Scheduling Order");

WHEREAS, the parties have exchanged requests for documents and interrogatories and responses to such requests, and have produced and continue to produce documents responsive to such requests;

WHEREAS, Plaintiff and Defendant have each conducted one deposition and also have numerous depositions yet to be conducted;

WHEREAS, pursuant to the Court's recommendation in paragraph 10(c) of the Scheduling Order, the parties retained a mediator before the close of fact discovery. The parties met with the mediator on May 21, 2008 in New York but were unable to resolve their dispute in this and the related-action Clear Channel Broadcasting, Inc., et al. v. Frequency, LLC, et al., Cause No. CI-12493, pending in the District Court of Bexar County, Texas;

WHEREAS, the parties have determined that they must continue with discovery and that, due to the sheer number of witnesses, as well as the need to schedule depositions around summer vacations, they cannot complete all the needed depositions by July 14, 2008;

WHEREAS, the parties have agreed to extend fact and expert discovery deadlines in the scheduling order; and

WHEREAS, this is the parties' fourth request for an extension of time in this matter;

IT IS HEREBY STIPULATED AND AGREED by and among the parties through their undersigned counsel that:

1. The last day of fact discovery shall be extended from July 14, 2008 to August 15, 2008; and
2. The last day to conduct depositions shall be extended from July 15, 2008, to August 15, 2008.
3. The last day to complete expert discovery shall be extended from September 26, 2008 to October 27, 2008.

*4. Pretrial conference is scheduled for  
September 5, 2008 at 11:00 a.m.*

Dated: June 26, 2008

CRAVATH, SWAINE & MOORE LLP

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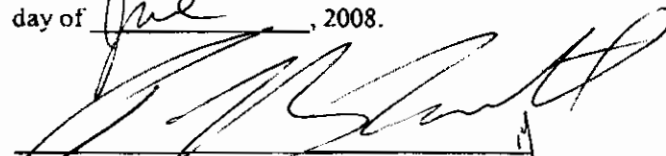
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*Attorneys for Defendant*

SO ORDERED this 27<sup>th</sup>  
day of June, 2008.

  
The Honorable P. Kevin Castel  
United States District Court Judge